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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09       UNITED STATES OF AMERICA,                   )   CASE NO. MJ 09-168  
10    )  
11       Plaintiff,                                      )  
12    )  
13       v.    )  
14       CECIL J. HODGIN,                              )  
15    )  
16       Defendant.                                     )  
17    )  
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20    )  
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14       Offense charged:    Possession of False Identification Documents; Production of False  
15       Identification Documents; Aggravated Identity Theft

16       Date of Detention Hearing:   April 28, 2009

17    The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
18    based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
19    that no condition or combination of conditions which defendant can meet will reasonably assure  
20    the appearance of defendant as required and the safety of other persons and the community.

21    FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22       (1)      Defendant comes before this court pursuant to a Writ of Habeas Corpus Ad

01 Prosequendum, having been previously held in the custody of the State of Washington at the  
02 Regional Justice Center. Therefore, the question of detention is essentially moot, since defendant  
03 would be returned to the custody of the state if not detained.

04 (2) Defendant was not interviewed by Pretrial Services. There is no available  
05 background information.

06 (3) Defendant poses a risk of nonappearance due to his custody status, lack of  
07 available background information, and the nature of the instant offense. He poses a risk of  
08 danger due to the nature of the instant offense.

09 (4) There does not appear to be any condition or combination of conditions that will  
10 reasonably assure the defendant's appearance at future Court hearings while addressing the  
11 danger to other persons or the community.

12 It is therefore ORDERED:

13 (1) Defendant shall be detained pending trial and committed to the custody of the  
14 Attorney General for confinement in a correction facility separate, to the extent  
15 practicable, from persons awaiting or serving sentences or being held in custody  
16 pending appeal;

17 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
18 counsel;

19 (3) On order of a court of the United States or on request of an attorney for the  
20 Government, the person in charge of the corrections facility in which defendant  
21 is confined shall deliver the defendant to a United States Marshal for the purpose  
22 of an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 28th day of April, 2009.

Mary Alice Theiler  
Mary Alice Theiler  
United States Magistrate Judge